

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JANET BAKER, JAMES BAKER, JK BAKER LLC, and
JM BAKER, LLC,
Plaintiffs,
v.

No.: 04-CV-10501 (PBS)

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING CORP., SA),
Defendants.

**DECLARATION OF KAREN C. DYER IN SUPPORT OF
REQUEST TO ENTER DEFAULT OF DEFENDANT DEXIA BANK BELGIUM**

KAREN C. DYER, declares pursuant to 28 U.S.C. § 1746 that:

1. I am a member of the law firm of Boies Schiller & Flexner LLP, which represents Janet Baker, James Baker, JK Baker LLC, and JM Baker LLC ("Baker Plaintiffs") in the above-captioned action. The Court has granted leave for me to appear *pro hac vice* in this action. Unless otherwise indicated, I have personal knowledge of the matters addressed in this declaration. I am over the age of 18 and am fully competent to testify.

2. I submit this declaration in support of Baker Plaintiffs' request that the Clerk of Court enter the default of Defendant Dexia Bank Belgium ("Dexia") to Baker Plaintiffs' First Amended Complaint.

3. On October 16, 2006, at or about 4:46 p.m., pursuant to an order of the Court authorizing the filing of same, the Baker Plaintiffs, through their counsel, filed the First Amended Complaint in the above-captioned action via the court's ECF system. A true and correct copy of the Notice of Electronic Filing of same is annexed hereto at **Exhibit A.**

4. Dexia has not served or filed an answer or other response to the First Amended Complaint.

5. The time within which Dexia is permitted to plead or otherwise respond to the First Amended Complaint expired on November 2, 2006.

6. I have met and conferred with Thomas Teige Carroll, Esq. of Clifford Chance US LLP concerning Dexia's failure to timely answer or respond to the First Amended Complaint. We were unable to reach agreement concerning a nunc pro tunc extension of Dexia's time to answer or respond.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Orlando, Florida this 9th day of November 2006.

/s/ Karen C. Dyer

Karen C. Dyer
Fla. Bar No. 716324

CERTIFICATE OF SERVICE

I hereby certify that this document will be filed through the ECF system, which filing will constitute service of the document upon all registered ECF users as identified on the Notice of Electronic Filing (NEF). A paper copy of this document has been mailed in accordance with FED. R. CIV. P. 5(b) to all those case participants not identified on the NEF as electronic recipients.

/s/ Karen C. Dyer

Karen C. Dyer, Fla. Bar No. 716324